

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

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In re:

HOLLISTER CONSTRUCTION SERVICES,
LLC

Debtor.

FILED
JEANNE A. NAUGHTON, CLERK

FEB 20 2020

U.S. BANKRUPTCY COURT
TRENTON, NJ
BY _____ DEPUTY

Chapter 11

Case No. 19-27439-MBK

Hearing Date: February 20, 2020

Judge: Hon. Michael B. Kaplan

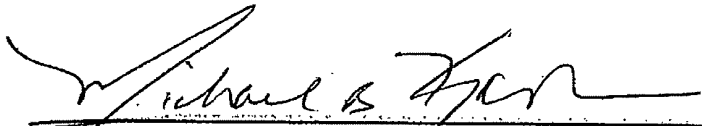
Recommended Local Form:

☒ Followed

☐ Modified

ORDER VACATING OR MODIFYING STAY

The relief set forth on the following pages, numbered two (2) through and including three (3) is hereby **ORDERED**



MICHAEL B. KAPLAN, USBJ

2/20/20

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Debtor: HOLLISTER CONSTRUCTION SERVICES, LLC
Case No. 19-27439-MBK
Caption of Order: ORDER VACATING OR MODIFYING STAY

THIS MATTER having been opened to the Court by Allen I. Gorski, Esq. of the firm of Gorski & Knowlton PC, attorneys for Leader Electric Co. Inc. (hereinafter "Leader"), one of the creditors in the above matter, and the Court having reviewed the papers submitted and good cause having been made; it is therefore

ORDERED that the automatic stay be and is hereby modified to allow Leader to commence one or more actions and to join Hollister Construction Services, LLC ("Debtor"), as a necessary and nominal party only in legal proceedings before the New York Courts, in order to prosecute claims against parties other than the Debtor to fully ascertain and thereafter enforce Construction Lien Claims filed and served by Leader in connection with the construction project at 33 Peck Slip, NY, NY, Section 1, Block 107, Lot 38 project and more fully described in the Notice of Motion and accompanying Certification of Travis J. Fairey, C.O.O. of Leader dated January 23, 2020, respectively; ^{*} and it is

FURTHER ORDERED, that during the pendency of the bankruptcy proceedings or until further order of the bankruptcy court, Leader shall not seek to obtain a final judgment against the Debtor in any state court proceeding, nor shall Leader take any further action against the Debtor or property of Debtor's estate, other than by way of an application or adversary proceeding adverse to Debtor before the bankruptcy court which seeks to obtain any relief available to Leader in accordance with the rules governing these bankruptcy proceedings; and it is

FURTHER ORDERED, that the automatic stay remains in effect in all other respects, but without prejudice to the rights of Leader to file one or more unsecured proof of claims in this bankruptcy proceeding; and it is

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Debtor: HOLLISTER CONSTRUCTION SERVICES, LLC
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FURTHER ORDERED, that notwithstanding anything to the contrary in this Order, Arch Insurance Company and Arch Reinsurance Company (together, "Arch") shall not be prejudiced or be deemed to have waived any and all rights, claims and defenses of Arch, all rights, claims and defenses being expressly reserved, to the extent Leader asserts any claims against Bonds issued by Arch including but not limited to Bond No.: SU1151825; and it is

FURTHER ORDERED, that nothing contained within this Order constitutes a waiver of any party's rights and defenses, including the Debtor's rights and defenses, to defend against or challenge standing, forum or venue in any subsequent dispute (including lien issues), and all parties' rights, including the Debtor's rights, are hereby reserved.

* The relief granted herein ^{and the determinations made by the Court} are limited in effect and scope to the construction project referenced in the Motion and in this decretal paragraph. (MSK)

(MSK)

In re:
Hollister Construction Services, LLC
Debtor

Case No. 19-27439-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 21, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 23, 2020.

db +Hollister Construction Services, LLC, 339 Jefferson Road, Parsippany, NJ 07054-3707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 23, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2020 at the address(es) listed below:

NONE. TOTAL: 0